



# Trade Regulations and Standards in Colombia

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## Import Tariffs

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Colombia reduced import duties on November 5, 2010 for more than 4,000 tariff lines. Two decrees, 4114 and 4115, listed the reductions. The average nominal import duty was reduced from 12.2 percent to 8.25 percent. Consumer goods, capital goods, and raw materials produced outside of Colombia were the main reduction targets.

Most of Colombia's duties have been consolidated into three tariff levels: 0 percent to 5 percent on capital goods, industrial goods, and raw materials not produced in Colombia; 10 percent on manufactured goods, with some exceptions; and 15 percent to 20 percent on consumer and "sensitive" goods. Exceptions include: automobiles, which are subject to a 35 percent duty; beef and rice, which are subject to an 80 percent duty; and milk and cream, which are subject to a 98 percent duty. Whey is currently subject to a 20 percent duty in-quota (3,000 tons) and a 94 percent duty outside the quota. Other agricultural products fall under the Andean Price Band System (APBS) established by Decision 371 of the Andean Community (AC). The AC includes Bolivia, Colombia, Ecuador and Peru. The APBS protects domestic industry with a variable levy by increasing tariffs when world prices fall, and lowering tariffs when world prices rise.

The APBS includes 13 product groups and covers more than 150 tariff lines. This system can result in duties exceeding 100 percent, depending on world commodity prices, for important U.S. exports to Colombia, including corn, wheat, rice, soybeans, pork, poultry parts, cheeses, and powdered milk. The APBS has been suspended for milk powder, rice and white corn. The APBS also negatively affects U.S. access to Colombian markets for products such as dry pet food, which contains corn. By contrast, processed food imports from Chile and AC Members enter duty-free.

Over 80 percent of U.S. exports of consumer and industrial products to Colombia will become duty-free immediately upon implementation of the CTPA, with remaining tariffs phased out within 10 years. Colombia also agreed to join the WTO Information Technology Agreement, which eliminates tariffs on a wide range of information technology products.

## Trade Barriers

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Despite the efforts mentioned above to consolidate and simplify its tariff rate schedule, Colombia's numerous economic integration agreements have fostered overlapping tariff application. For example, a product may be subject to more than ten different duties depending on whether it comes from a member of the Andean Community, the Latin American Integration Agreement, or the Caribbean Community. Approximately 97 percent of the Colombian Harmonized Tariff Schedule (CHTS) products can be imported without an import license, but import tariffs and VAT still apply. Colombia's harmonized tariff schedule book lists all applicable import duties. U.S. exporters can obtain a copy of the CHTS at:

Lecomex Ltda.  
Calle 98 # 11B-48  
Tel. (571) 610-9312 / 236-1367  
Bogotá D.C., Colombia  
[www.lecomex.com](http://www.lecomex.com)

Legis S.A.  
Ave. El Dorado # 81-10  
Tel. (571) 425-5255 / 425-5200  
Bogotá D.C., Colombia  
[www.legis.com.co](http://www.legis.com.co)

**Non-Tariff Barriers:** Although the implementation of the Unified Portal for Foreign Trade (VUCE) has significantly streamlined the paperwork process for imports and exports, Colombia's bureaucracy still constitutes a barrier to trade for both local and foreign companies. Pilferage in customs warehouses and robberies of trucks persists, but cases have decreased dramatically. Colombian customs can detain shipments indefinitely because of improper tariff schedule classification, incorrect address, or typing errors. When mistakes are made by the exporter or importer, the goods may be refused entry into Colombia and be returned at considerable expense to the exporter or importer. Colombian customs statutes provide for significant fines and penalties for light infringement of procedures and errors in freight forwarding documents by customs agencies (Agencias Aduaneras). U.S. freight forwarders and intermediaries are subject to the same sanctions and penalties as Colombia's agents and brokers.

### Non-Tariff Barriers to Agricultural Trade

**Import licenses issued by the Ministry of Commerce, Industry and Tourism (MINCOMERCIO):** Most agricultural product import licenses issued by the Ministry of Commerce are issued automatically and are "free". However, there are a number of agricultural products that need pre-approval before the Ministry of Commerce will issue an import permit. These pre-approvals are regulated by the Ministry of Agriculture through the issuance of a sanitary or phytosanitary certificate for imports. For example, if the Ministry of Agriculture (MOA) determines that corn imports are not needed because they may negatively affect domestic prices, it can refuse to issue a phytosanitary certificate and thus the Ministry of Commerce will not issue the import permit. In the case of food products imported for human consumption, it is the Ministry of Social Protection that provides the pre-approval. Most of the agricultural products that need pre-approval are those products included in the price ban system.

Resolution 04 of June 12, 1998, issued by Ministry of Commerce, placed seasoned poultry parts (chicken, turkeys, and other birds) under the "pre-approved" licensing system which requires prior approval of the import license before the product is allowed to be imported into Colombia. Prior to this, seasoned poultry parts were under the "free" import regime, which resulted in automatic issuance of import licenses by Ministry of Commerce. Since 1994, import licenses for raw, unprocessed chicken and turkey parts have been routinely denied.

The Ministry of Social Protection has a zero tolerance salmonella policy which has resulted in a number of U.S. poultry shipments to Colombia to be rejected and destroyed in the past. However, over the past year, INVIMA, the Ministry's regulatory agency, has implemented a policy to allow mechanically deboned poultry (MDM) products to enter Colombia for further processing even if they test positive for salmonella. MDM imports are sampled and then sealed by INVIMA agents at the port of entry, strictly monitored while in transit, and verified as being processed at an approved pre-designated processing plant. Since this policy has been implemented, no US shipment of MDM poultry products has been rejected. The policy does not currently apply to raw poultry meat other than MDB poultry meat. U.S. exporters have raised concerns that inconsistency and lack of permanency in this policy will lead to changes in policy implementation in the future resulting in rejected shipments.

**The MOA's Absorption Requirement:** To ensure an ample supply of basic grains, the Ministry of Agriculture (MOA) has created a quota system to allow for the import of a limited quantity of grains at zero duty. A condition to import under the quota is the importer must purchase a certain volume of local grain production under a specified absorption mechanism called the 'Mechanism for Assigning the Quota or MAC'.

Under the MAC the Ministry of Agriculture (MOA) conducts three or four auctions per year to assign the quota to interested buyers. Prior to the auction, the Ministry of Agriculture (MOA) announces the "absorption" ratio of imports-to-local production. This ratio is calculated based upon expected local production and demand. For example, in 2009 the government allowed for the purchase of over 2.0 million tons of yellow corn at a ratio of 6 tons of imported corn for every one ton of local corn purchased. Feed millers, poultry producers and distributors submitted bids at the auction for the volume of imports desired knowing how much local corn they would need to buy. Before any imports could be made under the quota, the importer must show Customs that it purchased the required local production. This system sets a minimum price for local corn at the international price plus the out-of-quota-duty and freight. During periods of low domestic production farmers can distort market prices by requesting a premium knowing that importers need their product to be able to import. The out-of-quota duty is the greater of either 5 percent or the Andean Price Band duty. The CTPA will eliminate the price band system and quota auctions, and simplify the overall import process making it more transparent.

**Andean Price Bands:** On April 1, 1995, Colombia implemented the common Andean Community price band (variable import duty system). It covers product classifications (rice, barley, yellow corn, white corn, soybeans, wheat, crude palm oil, crude soybean oil, white sugar, raw sugar, milk, chicken parts, and pork meat) and 150 additional select commodities that are considered substitutes and derivatives. In theory, the system covers domestic producers and consumers from volatile world prices by raising import duties when import prices are low and lowering duties when prices are high.

Under the Andean Community price band system, the price band duty rate, or total applied duty rate, is calculated as the basic import duty rate plus the variable duty rate. The Ministry of Trade sets the basic duty rate each December for the following year. The variable duty rate is calculated as the percentage difference between the price band reference price and the floor or ceiling price making up the price band. The Andean Community, using a 60-month rolling average international price based on the period April 1 to March 31, calculates the floor and ceiling prices of the price band. The reference price is the average international price, which is updated every two weeks.

When the reference price falls below the floor price, the variable duty (or surcharge) is added to the basic import duty resulting in a higher applied duty rate. Conversely, when the reference price exceeds the ceiling price, the variable duty is subtracted from the basic duty rate making for a lower applied duty rate. Once the price band duty rate is calculated, the rate is applied to the reference price to obtain a per-ton duty value. That duty value is then applied to the volume of product imported.

The Andean Community price band system lacks transparency and can be manipulated to provide arbitrary levels of import protection. For example, adjustment factors for freight, insurance, and other unspecified costs are not transparent and provide latitude for manipulation of ceiling, floor, and reference prices. In many cases, it is impossible for an exporter to estimate the final import duty.

Often, the appropriate reference price is not used to assess the import duty. For instance, the ceiling and floor prices for chicken parts are based on U.S. whole broiler prices and the reference price is based on U.S. leg quarter prices. This method increases the likelihood that the reference price will fall below the floor price and the additional surcharge will be added to the import duty. For soft wheat, the floor and ceiling prices are based on hard red winter wheat, which tends to result in a higher import duty for soft wheat, since hard wheat is generally more expensive than soft wheat.

The U.S. government considers the application of this system to be inconsistent with Colombia's WTO obligations. Unfortunately, WTO binding import duties are often times higher than the applied price band duty, making it difficult to argue against the price band system. The CTPA would eliminate the Andean Price Band system for the above-mentioned products and by-products and significantly reduce the bounded tariff level. There will be tariff rate quotas for some sensitive commodities and a period of several years for a gradual reduction in import duties. See text of the CTPA on the U.S. Trade Representative's web site at [www.ustr.gov](http://www.ustr.gov)

**Sanitary and Phytosanitary Measures:** Colombia agreed in the CTPA negotiations to lift the BSE-related ban on U.S. beef from cattle of all ages, and some organs (livers, kidneys, and stomachs). In compliance with the CTPA commitments for U.S. beef, the GOC issued decree 3755 of October 27, 2006 establishing the sanitary conditions for imports of U.S. beef and beef products. Simultaneously, Decree 3752 of October 27, 2006, defines the bovine specific risk materials, such as brains, eyes, and the spinal cord.

INVIMA handles sanitary aspects related to processed food trade, including monitoring of domestic beef slaughtering and processing plants. INVIMA is also developing regulations regarding living modified organisms (LMOs) in food products and food ingredients. Non processed products that are fresh or frozen do not need to be registered with INVIMA, but do need a sanitary permit from the Colombian Agricultural Institute (ICA). ICA is responsible for the issuance of sanitary import permits for animal products, vegetables, fruits, and grains.

The GOC issued law 1255 of November 28, 2008, as a legal framework for preserving Colombia's poultry industry sanitary conditions. This legislation deals mainly with the local conditions for poultry production and distribution, but Article 17 bans imports of poultry products from countries or zones with non-reportable outbreaks of Avian Influenza and Newcastle disease. It also stipulates a risk assessment to be undertaken by ICA before a resolution is issued to allow resumption of poultry product imports. The USG continues questioning the lack of clarity regarding the way the risk assessment will be conducted and what the approximate timeline will be for import bans to be lifted.

**Product Health Registration:** All processed retail food items, including products imported in bulk for repackaging for retail use without further processing, must be registered and approved by INVIMA. Food products that are sold to restaurants, institutions, or to processors do not need to be registered with INVIMA, but according to the interpretation given by INVIMA of Decree 4764 of December 30, 2005, the importers of such products have to fulfill some bureaucratic requirements.

INVIMA charges a registration fee ranging from USD 676 to USD 1,670 per product. According to Decree 3075 of 1997, product registration is not required for:

- Products that are not subject to any processing, such as grains, fruits, fresh vegetable, honey, etc.
- Products of animal origin that are not subject to any processing (however each shipment of meat and meat products must be approved by ICA in order to be imported)
- Products used as raw materials by the food industry or Hotels, Restaurants and Institutions sector in food preparation.

A processed product is defined by the government as having been subjected to processing that resulted in a change in its internal structure. INVIMA registration of processed foods requires: (1) a written document from the manufacturer stating that it manufactures the product, and (2) a certificate of free sale stating that the products are approved for human consumption in the United States. This certificate needs to be issued by a U.S. government (state, local, or federal) health authority. Although not strictly required, INVIMA registration is facilitated if a description of the manufacturing process and a list of the ingredients is submitted, including any additives, preservatives, and dyes. Since Colombia implemented The Hague Convention of October 5, 1961 with Law 455 of August 4, 1998, facilitating import documentation, the above listed documents must carry an “apostille” stamp. The “apostille” stamp fee amounts to USD 20 each and it is produced by different authorities in each State, i.e. a Notary or a State Secretary or Under Secretary. This procedure replaced the notarization by the Colombian Embassy or a Consulate in the United States and by the Ministry of Foreign Affairs in Bogotá. A translator approved by the Ministry of Foreign Affairs must translate these documents into Spanish. INVIMA registration generally takes three working days to complete (although this can be much longer in some cases). The registration process can be done through INVIMA’s website ([www.invima.gov.co](http://www.invima.gov.co)). Tariff rates for registration and other services by INVIMA can also be checked at this site.

After analyzing the documents provided by the importer, INVIMA may request additional information. Some importers complain that this procedure may result in additional requirements that become non-tariff barriers to trade. INVIMA may take product samples from the shelf to conduct laboratory tests.

Registration is valid for ten years but only for the applicant (exporter or importer) and the manufacturer specified in it. Whenever the U.S. exporter wants to change its Colombian importer, there are two possibilities: (a) If the U.S. exporter is the applicant for the INVIMA registration, he must submit an application for registration modification to INVIMA (about USD 52); (b) If the Colombian importer is the applicant, the U.S. exporter must initiate a new registration process, specifying the new importer(s). Afterwards, the exporter may change his importer(s) whenever he deems it advisable. The U.S. exporter must apply through his legal representative in Colombia.

INVIMA registration is valid only for the specifications (e.g., product description and size) mentioned in the registration. If another presentation of the same product is to be imported, the registering company needs to inform INVIMA in writing of the new product.

**Sanitary Permit:** Products used as raw materials by the food industry sector in food preparation do not need an INVIMA registration, but they do need a sanitary permit from ICA and comply with Colombian labeling regulations. ICA is responsible for the issuance of import sanitary permits for animal products, vegetables, fruits, grains, pet food, dairy products, and agricultural inputs, including seeds. Genetically modified organisms (GMOs) for plantings have to be approved by the National Technical Committee (CTN-Bio) in which ICA is a member. The ICA permit details the zoo-sanitary or phytosanitary (SPS) import requirements for the specific product.

The Colombian importer must first obtain the import permit from ICA, before requesting an import license from the Ministry of Commerce, Industry and Tourism. ICA resolution 414 of 2002 requires that the sanitary export certificate issued by the exporting country sanitary authority be dated later than ICA's import permit. For ICA approval, the product must: (1) come from a USDA inspected facility, (2) be free of disease, (3) be inspected by USDA prior to its shipment and be accompanied by a USDA health export certificate, and (4) be inspected by an ICA veterinarian upon arrival in Colombia.

Colombian importers must provide a sanitary import permit to the U.S. exporter for submission to the USDA, before products are shipped. USDA will then issue a sanitary export certificate referencing the listed requirements in ICA's import permit. No shipments should be loaded or transported without the submission of the sanitary permit. In the case of meat and meat products, the USDA Food Safety and Inspection Service (FSIS) maintain an inventory of current sanitary requirements for different importing countries. Both FSIS and USDA's Animal and Plant Health Inspection Service (APHIS) place Colombian sanitary requirements on their respective web pages.

**Additional Sanitary Registration Requirements:** U.S. exporters should be aware that sanitary registration must also be obtained for pharmaceuticals, cosmetics, and household insecticides and similar products. The registration with INVIMA must be obtained before exporting the products to Colombia and the procedure takes between three to six months. Colombia requires sanitary registration for both locally manufactured and imported products. For more information contact: INVIMA, Deputy Directorate for Licenses and Registry, Carrera 68D # 17-21, Bogotá DC, Colombia, Tel. (57-1) 294-8700, Fax (57-1) 294-8700 Ext. 3930, web page: <http://www.invima.gov.co>.

**Pre-Shipment Certification:** In 1999, the Colombian Government eliminated requirements for the prior inspection and certification of imported food products at loading ports as part of an effort to ease import procedures.

## Import Requirements and Documentation

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U.S. exporters must be aware that their importers in Colombia must follow the basic steps below to complete an import transaction into Colombia:

- When required, obtain import permits from pertinent government agencies. For example: Ministry of Social Protection (for medicines), Ministry of Agriculture (for certain food products), and Civil Aviation Department (for aircraft).
- Buy and fill out the Import Registration form. File the Import Registration form with Ministry of Commerce, Industry and Tourism. The form requires a complete product description and tariff classification.
- Obtain approval from Ministry of Commerce, Industry and Tourism for the Import Registration Form or Import License (in the few cases when this is required).
- Make arrangements with a financial entity to pay for the imported goods.

- Ask the exporter to ship goods to a Colombian port.
- Request the Cargo Manifest from the transportation firm.
- Make arrangements with a Customs Agency to receive the merchandise and get it out of customs.

The following are the main steps to be followed:

- Fill out the Import Declaration ('Declaración de Importación'). When the import value is equal or more than USD 1,000, Customs Agencies should do all the paperwork and get the shipment out of Customs.
- Fill out the "Andean Custom Value Declaration" (Declaración Andina de Valor en Aduana) when the import value is equal to or more than USD 5,000 FOB.
- Go to an authorized financial entity and pay the import duties, VAT, surcharges, and other fees.
- Present all documents to customs.
- Customs inspects the merchandise, when they consider it necessary, and then authorizes withdrawal of goods.

The importer must keep import documents for a period of not less than five years.

**Import Declaration:** The importer must submit an import declaration to the DIAN. This declaration includes the same information contained on the import registration form and other information such as the duty and sales tax paid, and the bank where these payments were made. This declaration may be presented up to 15 days prior to the arrival of the merchandise to Colombia or up to two months after the shipment's arrival. Once the import declaration is presented and import duties are paid, customs will authorize the delivery of the merchandise.

Customs officials are responsible for inspecting merchandise to verify that the description and classification are consistent with the importer's declaration. A customs inspection group often performs after-clearance random investigations to detect fraud, foreign exchange irregularities, and tax evasion. Major customhouse brokers have a customs office in their own bonded warehouses where most clearance procedures are completed before the merchandise is delivered to the customers.

To carry out an export, the exporter must: 1) remit the pro-forma invoice, 2) obtain acceptance of conditions from the client (letter of credit, draft bill), 3) negotiate (through a local financial institution) the letter of credit/draft bill from the endorsing foreign bank, 4) present (to Ministry of Commerce, Industry and Tourism) a form known as "Registration as National (local) Producer, Export Offer and Determination of Origin", 5) present the certificate of origin (when necessary) with copy of the commercial invoice, and other certificates required by the country of destination (textile visa, phytosanitary certificates, etc.), and 6) complete and present the export declaration form, also known as shipping authorization of final export declaration, with all attachments as required.

Products that require special documentation include: vegetables, plants, fruits, animals, gold, emeralds, oil, coal, nickel, platinum, textiles, products exported through the General System of Preferences (GSP), products exported through the ATPDEA, and products exported through any free trade agreement.

Most of Colombia's foreign trade procedures have been streamlined through the VUCE (Unified Portal for Foreign Trade- [www.vuce.gov.co](http://www.vuce.gov.co)), which gives users access to forms, online payments and follow-up on requests and processes related to an import or export operation.

## U.S. Export Controls

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U.S. exporters should be aware that the U.S. Government may prohibit the export of certain products to Colombia or require export licenses. The Department of Commerce's Bureau of Industry and Security Export Enforcement (BIS) licenses most controlled product and technology exports. Licenses are required for certain high technology items or technology transfers and items with dual use potential (commercial items which could have military applications). In recent years, there have been increasing restrictions on the export of precursor chemicals to Colombia, due to concerns they may be utilized by narcotics traffickers to produce drugs. For more information on U.S. export compliance and enforcement licensing issues contact BIS: Tel: (202) 482-1208, (800) 424-2980, or web site - <http://www.bis.doc.gov/>. For information on the export of defense articles, weapons, and firearms contact the State Department's Defense Trade Controls Directorate (DDTC), Tel: (202) 663-2700, Fax: (202) 261-8264, <http://www.pmddtc.state.gov>.

## Temporary Entry

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Non-fungible merchandise that can be thoroughly identified by marks, serial numbers, or other symbols can be temporarily brought into Colombia for specific purposes. The merchandise must be re-exported immediately after the pre-authorized period, without any alteration or modification, except for the normal deterioration caused by use.

There are two categories for temporary imports. The DIAN decides which of the two systems has to be applied to a specific case:

**Short Term:** Merchandise imports for a specific purpose during a period of time that should not exceed six months; one three-month extension can be requested and approval must be obtained before expiration of the initial authorization. Short-term imports are not subject to import duties, but a guarantee equivalent to 10 percent of the corresponding import duties must be presented to obtain approval.

**Demonstration Equipment:** The international carnet system for temporary imports of demonstration equipment (for promotional campaigns or trade shows) is not in effect in Colombia. Instead, DIAN requests that visitors bringing in equipment for demonstration purposes fill out a special form provided upon arrival at an international airport. The equipment may stay in the country up to 90 days. There is no deposit requirement.

**Long-Term:** Colombian Customs regulations also allow temporary imports of equipment for a period of up to five years. Under this regulation, the Government allows companies to import machinery and equipment as well as related accessories and spare parts if they are included in the same one-time-only shipment. This system is applied to equipment to be used in public works projects and other activities that are important for national economic and social development. Long-term temporary imports are also approved for machinery and equipment brought into the country under leasing contracts within a term of six months to five years.

Long-term customs declarations for temporary imports must include the U.S. dollar calculation of duties and taxes in accordance with the tariff schedule effective on the submission date. The total amount may be divided into equal quotas to be paid semi-annually, during the temporary import

period. The importer may be required to guarantee an equivalent of 100 percent of the import duties. Import duties are non-refundable.

### Labeling and Marking Requirements

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Specific marks or labels are not required, except for food, pharmaceutical products, and textiles. Labels on processed food products must indicate: the specific name of the product, ingredients in order of amount, name and address of manufacturer and importer, country-of-origin, number of units, instructions for storage and usage (when required), expiration date, and other instructions as required by the Ministry of Social Protection or the Industry and Commerce Superintendent. Labels and illustrations cannot be inaccurate or misleading.

Labels on pharmaceutical products must indicate in Spanish: "for sale under medical, dental or veterinary prescription," with the generic name, commercial name, net weight or volume, weight or quantity of active ingredients, license number and the lot control number. Products having limited shelf life should include the date of expiration.

Insecticides and other toxic products should display the skull and crossbones, the word "poison" in Spanish, and information regarding usage and antidotes. Products for which there are no antidotes cannot be licensed and can only be used in programs under the direct control of public health authorities.

There are various inconsistencies regarding labeling in the alcoholic beverages and spirits industry that affect both nationals and foreigners, and relates to taxation associated to labeling and recipients. This is expected to be resolved in the near future by a final decree dealing with the different aspects of alcoholic beverage production, distribution, sales and trade.

**Food Labeling Requirements:** The Government of Colombia requires country-of-origin labeling for processed foods products. However, it does not classify frozen vegetables as a processed food and, therefore, no country of origin labeling is required. Also, fresh fruit and vegetables do not require country of origin labeling.

The government issued Resolution 5109 of December 29, 2005 through the Ministry of the Social Protection, establishing labeling requirements for canned food and raw food products. Recently the government advised the WTO of upcoming regulations on packages and containers used in direct contact with food products.

Colombian labeling requirements for processed foods do not address the question of ingredient origin. Therefore, if an imported food item contains ingredients from more than one country, for example, U.S. and Canadian peas in the same frozen package, the label must only identify the processor's name and address and the country where the product was produced.

Product labeling information on imported processed products must be present at the point of retail sale. The responsibility for this labeling information rests with the importer, not the retailer. Many Colombian importers arrange for this information to be placed on the product by the exporting firm, before it enters Colombia.

## Prohibited and Restricted Imports

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Imports of the following products have been specifically prohibited: dieldrin, aldrin, chlordane, endosulfan, heptachlor, lindane, and any preparations containing these products, gasoline that contains lead tetraethylene, and weapon-type toys.

An import license is required for 101 sub-classifications of the Colombian Tariff Schedule. No import licenses are being approved for the following: used vehicles and parts, used tires, used or irregular clothing, clothing closeouts, used bags and sacks, sacks of vegetable fibers, rags, and scrap cordage of textile material wastes. Only the Military Industry Institute (Colombia's government-owned arms and explosives manufacturer) may import weapons, explosives, and related raw materials.

Colombia prohibited the importation of live cattle from the United States following the detection of a Bovine Spongiform Encephalopathy (BSE) positive cow in the United States in 2003. In 2007, the World Organization for Animal Health (OIE) classified the United States as controlled risk for BSE. In early 2008, USDA invited the CAN countries (Peru, Ecuador, Bolivia, and Colombia) to evaluate the U.S. cattle system. In May 2009, the CAN published its risk assessment of the U.S. cattle system and, as a safety precaution, recommendations to impose age restriction (24 months of age or less) on imports of live U.S. cattle. The United States submitted comments to the CAN and to individual member countries expressing concerns that the CAN's draft risk assessment and recommendations were not supported by OIE guidelines, which do not recommend age restrictions on live cattle sourced from controlled risk countries. In June 2010, Colombia temporarily allowed live cattle imports from the United States under requirements that the U.S. industry has not been able to meet. Colombia is in the process of reviewing those requirements.

## Customs Regulations and Contact Information

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### Customs Regulations

When the Trade Promotion Agreement between the U.S. and Colombia is fully implemented, over 80% of U.S. consumer and industrial products will enter Colombia duty free. For other products, tariffs will be phased out over 10 years. We suggest that U.S. exporters go through the following process to determine duties today and in the future:

1. [Customs Info Database](#) - shows you tariffs/duties that Colombia is currently assessing. You can access this database by simply signing up with your email address.
2. [Tariff Tool for Free Trade Agreements](#) - shows you how tariffs will be phased out for any particular good in any country that has a Free Trade Agreement (current or pending) with the U.S. *Cautionary note: this tool does not show agricultural products. In addition, it is not completely accurate for current tariff rates; instead, it shows what Colombia is allowed to charge, which may be higher.*

Colombian Tax and Customs Department: [www.dian.gov.co](http://www.dian.gov.co).

## Standards

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## Standards Overview

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Decree 2153 of 1992 defined the Colombian standards regime's legal framework. Decree 2153 modified the structure of the Superintendent of Industry and Commerce (SIC), and along with Decree 2269 of 1993, created the National Standardization, Certification, and Metrology System (SNNCM). The latter decree designated the Colombian Technical Standards Institute (ICONTEC) as the main standards development organization and SIC as the national accreditation organization.

Colombia further revised its standards regime following its accession to the World Trade Organization (Law 170 of 1994). Colombia joined the Group of Three (G-3) Trade Agreement between Colombia, Mexico, and Venezuela (Law 172 of 1994), and enacted Andean Community Decision 376 of 1995, which created the Andean Standardization, Accreditation, Assays, Certification, Technical Regulations, and Metrology System.

On February 3, 2010, per Decree 323 of 2010, the accreditation role was transferred from SIC to the Colombian National Accreditation Organization (ONAC), created by Decree 4738 of 2008, and therefore, eliminated the provisions of Decree 2269 of 1993 and Decree 2153 of 1992.

## Standards Organizations

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The Colombian Standards and Certification Institute (ICONTEC) is a private-sector organization created in 1963. The SIC has also accredited ICONTEC for product certification, quality assurance, and environmental systems certification.

ICONTEC's principal aim is to promote the development of technical standards, quality assurance, and product certification, and is Colombia's national standardization institute. They are members of the International Standards Organization (ISO) and the International Electro-Technical Commission (IEC). ICONTEC is a founding member of the Pan-American Technical Standards Commission (COPANT) and a member of the Pacific Area Standards Congress (PASC), the International Accreditation Forum (IAF), and IQNet, an international association of national quality assurance certification entities.

ICONTEC is also recognized by the American National Standards Institute (ANSI), the German Accreditation Association (TGA), the Chilean National Standardization Institute (INN), and the Peruvian standardization institute (INDECOPI). ICONTEC has offices in Chile, Costa Rica, Ecuador, Guatemala, Honduras, Nicaragua, Dominican Republic, and Peru.

ICONTEC's technical standards development committees cover a wide range of issues and topics on metrology, occupational health, air, soil and water quality, solid waste, bar codes, conformity assessment, geographic information, environmental assessments, food and vegetable standards, and

construction products, among others. For a complete standards development committee list, please visit: [www.icontec.org.co/normalizacion.asp](http://www.icontec.org.co/normalizacion.asp) and click on “Ambitos Comités Técnicos”.

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Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. Notify U.S. is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that can affect your access to international markets. Register online at <http://www.nist.gov/notifyus/>.

#### Conformity Assessment

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On November 20, 2007, the Ministry of Foreign Trade and over 90 private entities including product certifiers, product inspectors, and accredited testing, calibration and assay laboratories, enacted the creation of Colombia’s National Accreditation Organization (ONAC) as a public-private organization following the guidelines of the National Quality Policy and with the aim to allow international recognition of the country’s conformity assessment certificates including laboratory testing, and calibration certificates in accordance with ISO/IEC 17011 standards.

Per Decrees 4738 and 3257 of 2008, ONAC accredits and supervises the certification entities, as well as testing and calibration laboratories, a task previously assigned to the SIC, through the Delegated Superintendent for Consumer Protection (SDPC).

#### Product Certification

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Manufacturers and importers of products regulated by official mandatory technical standards or technical regulations need to register themselves in SIC’s Mandatory Registry prior to selling products in Colombia. Products can be tested in accredited laboratories to obtain the certificate of conformity and SIC accepts certificates issued by accredited certification entities, such as members of the International Accreditation Forum (IAF) multilateral agreement.

The Ministry of Commerce, Industry and Tourism eliminated the mandatory status for the majority of products previously covered. SIC is working with other government agencies to develop technical regulations for products that present threats to health, safety, environment, or national security. Under WTO commitments, Colombia must submit draft technical regulations for comment prior to the new regulation’s entry into force. More information on technical regulations including those under development (awaiting public comment), valid technical regulations, and on Colombian technical standards referenced in regulations is available at: [www.mincomercio.gov.co](http://www.mincomercio.gov.co) and click on “Vice Ministerio de Desarrollo Empresarial – Regulación Industrial y Comercial.”

#### Accreditation

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By the end of 2009, ONAC had accredited 330 inspection entities, personnel certification entities, product certification entity, and calibration and assay laboratories, available in: <http://www.onac.org.co/modulos/contenido/default.asp?idmodulo=2343>.

INVIMA is the responsible organization regarding sanitary, medicines, biological products, food, beverage, cosmetics, and medical devices and products related to human health. For more information, please check: [www.invima.gov.co](http://www.invima.gov.co).

### Publication of Technical Regulations

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MinComercio (Regulations Directorate) is the WTO point of contact for TBT draft technical regulations, and upcoming Colombian notifications on TBT and SPS regulations. This group verifies compliance (and coordinates) with the WTO TBT Agreement, the SPS Agreement, and compliance with conformity assessment procedures. They also maintain the national information system concerning national or foreign technical regulations, among other related matters.

Interested firms can review draft technical regulations and comment on them before the review period expires. For more information, please visit: [www.mincomercio.gov.co](http://www.mincomercio.gov.co) and click on "Vice Ministerio de Desarrollo Empresarial - Regulación Industrial y Comercial".

### Labeling and Marking

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Specific marks or labels are not required for products, except for food, pharmaceutical, and textiles products. Labels on processed food products must indicate: the specific name of the product, ingredients in order of predominance, name and address of manufacturer and importer, number of units, instructions for storage and usage (when required), expiration date, and other instructions as required by the Ministry of Social Protection or the Industry and Commerce Superintendent. Labels and illustrations cannot be inaccurate or misleading.

Labels on pharmaceutical products must indicate in Spanish: "for sale under medical, dental, or veterinary prescription," with the generic name, commercial name, net weight or volume, weight or quantity of active ingredients, license number, and the lot control number. For those products having limited shelf life, labels should include the date of expiration. Insecticides and other toxic products should display the skull and crossbones, the word "poison" in Spanish, and information regarding usage and antidotes. Products for which there are no antidotes cannot be licensed and can only be used in programs under the direct control of public health authorities.

The SIC oversees compliance with labeling and marking requirements of all products (imported or produced locally), including displaying the unit of measure using the international system of measurements. ICONTEC has developed several Colombian technical standards on labeling and marking requirements for different products.

In addition, SIC develops metrological controls for measuring instruments to assure its calibration, following recommendations from the International Legal Metrology Organization (OIML). SIC operates a Metrology Laboratory which provides the national standard for the main physical properties (weight, volume, temperature, etc.) serves as reference to the Colombian industry

### Trade Agreements

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Since 1969, Colombia has been a member of the Andean Community, which constitutes a free trade agreement with Bolivia, Ecuador, and Peru. Venezuela withdrew in 2006, but remains bound by its Andean Community commitments until April 2011. A new framework to facilitate commercial relations

was still being worked on as of the first quarter of 2011. The Andean Community reached a free trade agreement with Mercosur countries (Brazil, Argentina, Paraguay and Uruguay) in 2005.

President Santos' Administration has energetically pursued measures to liberalize trade. The United States and Colombia signed the CTPA in November 2006 in Washington DC. Colombia has ratified the agreement. The US Congress ratified the agreement on October 2011 and it is in the implementation process. For additional information and the final texts of the CTPA agreement please visit: [http://www.ustr.gov/Trade\\_Agreements/Bilateral/Colombia\\_FTA/Final\\_Text/Section\\_Index.html](http://www.ustr.gov/Trade_Agreements/Bilateral/Colombia_FTA/Final_Text/Section_Index.html).

Apart from the CTPA, Colombia has signed various free-trade agreements with individual countries or associations, which include the Central American Northern Triangle (El Salvador, Guatemala, and Honduras),, Canada, Mexico, Chile and the European Free Trade Association (EFTA) countries (Switzerland, Norway, Iceland and Liechtenstein). In March 2010 Colombia finalized FTA negotiations with the European Union and has begun negotiating with South Korea and Panama. Additional free trade agreements are scheduled to be negotiated with Japan, Singapore, Australia, and the Dominican Republic.

Additionally, to stimulate trade and investment, Colombia has Bilateral Investment Treaties (BITs) with several countries, including Switzerland, Peru and Spain; Colombia has included investment protection chapters in FTAs with Chile and Mexico. Additional BITs have been negotiated with China, India, South Korea, the United Kingdom, Finland, Belgium, Luxembourg and Chile, while negotiations are underway or about to begin with Japan, France, the Netherlands, the United Arab Emirates, Australia and the Dominican Republic.

Colombia, along with Ecuador and Peru, benefits from the Andean Trade Preference and Drug Eradication Act. This U.S. unilateral tariff exemption program which expired in December 2010 and is currently awaiting renewal by the U.S. Congress, promotes economic development through private sector initiatives. ATPDEA encourages exports to create income sources that are alternatives to drug production.

## Contacts

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The following contacts can assist companies with inquiries and research on standards in Colombia:

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**General contacts on trade regulations:**

- USTR: [http://www.ustr.gov/Trade\\_Agreements/Bilateral/Colombia\\_FTA/Section\\_Index.html](http://www.ustr.gov/Trade_Agreements/Bilateral/Colombia_FTA/Section_Index.html)
- Ministry of Foreign Trade: [www.mincomercio.gov.co](http://www.mincomercio.gov.co)
- SIC: [www.sic.gov.co](http://www.sic.gov.co)
- DIAN: [www.dian.gov.co](http://www.dian.gov.co)
- Corporation Center for Technological Research and Development (CIDET):  
<http://www.cidet.com.co/>
- ICONTEC: [www.icontec.org.co](http://www.icontec.org.co)
- INVIMA - equivalent to the U.S. Food and Drug Administration (FDA): [www.invima.gov.co](http://www.invima.gov.co)
- Ministry of Social Protection (formerly Ministry of Health): [www.minproteccionsocial.gov.co](http://www.minproteccionsocial.gov.co)
- Ministry of Communications: [www.mincomunicaciones.gov.co](http://www.mincomunicaciones.gov.co)
- ICA: [www.ica.gov.co](http://www.ica.gov.co)
- Colombia International Corporation: <http://www.cci.org.co>
- Proexport Colombia: [www.proexport.com.co](http://www.proexport.com.co)

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### For More Information

The U.S. Commercial Service in Colombia can be contacted via e-mail at: [office.bogota@trade.gov](mailto:office.bogota@trade.gov); Phone: 011-571-275-2519; or visit our website: [www.export.gov/colombia](http://www.export.gov/colombia).

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